

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

THOMAS EDWIN LODEN, JR.

PETITIONER

v.

No. 1:10CV311-NBB

CHRISTOPHER EPPS, ET AL.

RESPONDENTS

ORDER DENYING EXTENSION OF TIME

Presently before the Court is Petitioner's unopposed motion seeking an extension of time within which to file his brief in support of the petition for writ of habeas corpus filed in this cause.¹ The brief is currently due on July 13, 2012, a date which was set by a previous order that extended the initial filing deadline by sixty days.

By order dated April 6, 2012, the Court put counsel for both parties on notice that it would not grant future requests for additional extensions of time, as it had already granted lengthy extensions to both parties. In the instant motion, Petitioner's stated reasons for his request are that one of his attorneys is facing a month long recovery from open heart surgery, while the workloads of two of his other attorneys prevent the brief's timely completion. The Court, while not unsympathetic to the reasons stated by the motion, is responsible for ensuring the timely progression of this case. Petitioner has four attorneys of record in this cause, all of whom have been aware of the deadline for filing the brief since July 27, 2011, when the Court entered a scheduling order in this case. The Court has already extended that deadline by sixty days.

¹ Docket entry no. 22.

The Court is confident that its previous leniency in granting Petitioner's request for additional time, combined with the resources and competencies of Petitioner's multiple attorneys, should allow the timely filing of Petitioner's brief without resulting prejudice to him. Therefore, Petitioner's motion is **DENIED**.

SO ORDERED this the 20th day of June, 2012.

/s/ Neal Biggers
NEAL B. BIGGERS, JR.
U.S. DISTRICT JUDGE